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7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 PHILIP ALEXANDER, individually,

11 CASE NO. 2:22-cv-01715-GMN-BNW

12 Plaintiffs,

13 vs.

14 AOSOM, LLC., Foreign Limited-Liability
15 Company; WALMART INC., a Foreign
16 Corporation; DOES I through X, inclusive; and
17 ROE BUSINESS ENTITIES I through X,
18 inclusive,

19 Defendants.

20
21 **[PROPOSED] JOINT DISCOVERY**
PLAN AND SCHEDULING ORDER

22
23 **SUBMITTED IN COMPLIANCE**
WITH LR 26-1(b)

24 Plaintiff, PHILIP ALEXANDER and Defendants AOSOM, LLC and WALMART INC,
25 by and through their undersigned counsel hereby submit the Proposed Stipulated Discovery Plan
26 and Scheduling Order pursuant to Local Rule 26-1(a). The scheduling order is in compliance
27 with Local Rule 26-1(a).

28 This action was initiated in the Eighth Judicial District Court, County of Clark on
September 2, 2022. Defendant Walmart filed an Answer to the Complaint on September 30,
2022. AOSOM, LLC filed Petition for Removal from the State Court on October 11, 2022 and
an Answer on October 18, 2022. Pursuant to Fed. R. Civ. P. 26(f) and LR26-1(a), on October
31, 2022, counsel for the parties met and conferred regarding the Discovery deadlines in the
above-captioned matter. John Shook of the Law Offices of Shook and Stone, appeared on behalf
of the Plaintiff, Philip Alexander; Nathan Reinmiller of Hall, Prangle and Schoonveld LLC
appeared on behalf of the Defendant AOSOM, LLC and Madison Aguirre of Alverson Taylor

1 appeared on behalf of Walmart, Inc.. During the conference, counsel for the parties discussed
 2 and agreed upon the following:

3 **PROPOSED SCHEDULE**

4 1. Discovery shall be completed on or before March 29, 2023 (180 days from the date of
 5 Defendant Walmart's answer);

6 2. Motions to amend, or to add parties, shall be filed and served on or before December
 7 29, 2022;

8 3. Expert disclosures pursuant to Fed. R. civ. P. 26(a)(2) shall be made on or before
 9 January 28, 2023;

10 4. Rebuttal expert disclosures shall be made on or before February 27, 2023;

11 5. Dispositive motions shall be filed and served on or before April 28, 2023;

12 6. The Joint Pre-trial Order shall be filed on or before May 28, 2023. In the event
 13 dispositive motions are filed, the date for filing the Joint Pre-trial Order shall be suspended until
 14 30 days after the decision on the dispositive motions or further Order of the Court (LR26-
 15 (b)(5));

16 7. The disclosures required by Fed. R. Civ. P. 26(a)(3) and any objections thereto shall
 17 be included in the pretrial order; and

18 8. Any request to extend the dates set forth in this Discovery Plan and Scheduling Order
 19 shall be submitted to the Court not later than 21 days before the expiration of the subject
 20 deadline sought to be extended.

21 **INITIAL DISCLOSURES AND DISCOVERY**

22 The parties anticipate having their initial disclosures delivered to each other within
 23 fourteen days of the conference, or November 14, 2022. The Parties anticipate conducting
 24 written discovery and depositions on all issues allowed under the Federal Rules of Civil
 25 Procedure. (Fed. R. Civ. P. 29(f)(3)(B)). There are currently no issues which parties are aware of
 26 regarding discovery of electronically stored information or claims of privilege/protection of trial
 27 preparation materials. (Fed. R. Civ. P. 26(f)(3)(C). There are currently no issues which the
 28 parties are aware of regarding claims of privilege, but the parties anticipate that, to the extent

1 that disclosure of certain sales, marketing, and financial information is necessary during the
2 course of discovery, the parties will be discussing and submitting a proposed stipulated
3 protective order requiring that such information that is disclosed during discovery be kept
4 confidential pursuant to the discovery rules. (Fed. R. Civ. P. 26(f)(3)(D)). The parties also
5 anticipate the need to establish protocols concerning any destructive testing of the equipment
6 that may be necessary.

7 DATED this 7th day of November, 2022.

8
9 SHOOK & STONE, CHTD.

ALVERSON TAYLOR & SANDERS

10 /s/ John Shook

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/s/ Madison Aguirre

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16 HALL PRANGLE & SCHOONVELD, LLC

17 /s/ Nathan Reinmiller

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21
22 **ORDER**

23 IT IS ORDERED that ECF No. 9 is GRANTED.

24 IT IS FURTHER ORDERED that the parties must file a supplement to their
25 discovery plan and scheduling order by 11/11/2022 in compliance with
26 LR 26-1(b)(7)-(9).

27 IT IS SO ORDERED

DATED: 4:44 pm, November 08, 2022


27 BRENDA WEKSLER
UNITED STATES MAGISTRATE JUDGE